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Attorneys for Plaintiff and Real Party in Interest

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

1 **STIPULATION**

2 Pursuant to Rule 15(a) of the Federal Rules of Civil Procedure, the parties, by and through
3 their attorneys, stipulate as follows:

4 Plaintiff and Real Party in Interest seek to amend the complaint filed in the above-
5 captioned case. Defendants consent to the filing of an amended complaint. Attached is a draft
6 copy of the First Amended Complaint in substantially the same form in which it will be filed.

7 The parties stipulate that the First Amended Complaint shall be filed on or before October
8 26, 2007.

9 The parties stipulate that Defendants shall have twenty (20) days from the date of the filing
10 of the First Amended Complaint to file a responsive pleading.

11 The parties further stipulate that the following individually named defendants, whether
12 named in their official or individual capacities, are hereby dismissed from this action without
13 prejudice: Tony Santos; Surlene G. Grant; Diana M. Souza; Joyce R. Starosciack; Bill Stephens;
14 Jim Prola; John Jermanis; and Debbie Pollart.

15 IT IS SO STIPULATED.

16
17 DATED: October 22, 2007

18 /S/ Kevin Snider
19 Kevin T. Snider
20 PACIFIC JUSTICE INSTITUTE
21 Attorney for Plaintiff and Real Party in Interest

22
23 DATED: October 22, 2007

24 /S/ Deborah Fox
25 Deborah J. Fox
26 MEYERS, NAVF, RIBACK, SILVER & WILSON
27 Attorneys for Defendants

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ORDER
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5 IT IS SO ORDERED.
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Dated: _____, 2007

By: _____
The Hon. Phyllis J. Hamilton
UNITED STATES DISTRICT JUDGE